

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

| | | |
|----------------------------|---|-------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | Case No. MJ10-236 |
| |) | |
| v. |) | |
| |) | |
| JOSE HERNANDEZ-PLASCENCIA, |) | DETENTION ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

Offenses charged:

COUNT 1: Conspiracy to Distribute a Controlled Substance, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A), 841(b)(1)(B) and 846

COUNT 2: Distribution of Methamphetamine in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C)

Date of Detention Hearing: June 1, 2010

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this

01 case.

02 (2) Defendant is a citizen of Mexico.

03 (3) Defendant has stipulated to his continued detention, but reserves the right to
04 contest his continued detention if there is a change in circumstances.

05 (4) There are no conditions or combination of conditions other than detention that
06 will reasonably assure the appearance of defendant as required or ensure the
07 safety of the community.

08 IT IS THEREFORE ORDERED:


09 (1) Defendant shall be detained pending trial and committed to the custody of the
10 Attorney General for confinement in a correctional facility separate, to the extent practicable,
11 from persons awaiting or serving sentences or being held in custody pending appeal;

12 (2) Defendant shall be afforded reasonable opportunity for private consultation
13 with counsel;

14 (3) On order of a court of the United States or on request of an attorney for the
15 government, the person in charge of the corrections facility in which defendant is confined
16 shall deliver the defendant to a United States Marshal for the purpose of an appearance in
17 connection with a court proceeding; and

18 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
19 counsel for the defendant, to the United States Marshal, and to the United States Pretrial
20 Services Officer.

21 DATED this 1st day of June, 2010.

22 
23 JAMES P. DONOHUE
24 United States Magistrate Judge
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